

Beaver County
Beaver, UT 84713
August 2, 2004

The Board of County Commissioners met on August 2, 2004 at 10:00 a.m. for its regularly scheduled meeting. Those present were William L. Dalton, Chairman; Patrick R. Yardley, Member; Von J. Christiansen, Attorney; Bryan L. Harris, Commission Assistant; and Paul B. Barton, Clerk/Auditor. Comm. Mark S. Whitney was excused.

Because of the absence of Comm. Whitney, it was moved by Comm. Yardley to have the chair automatically passed between members on all motions unless otherwise stated. The chair was passed to Comm. Yardley and Comm. Dalton seconded the motion. The chair was passed back to Comm. Dalton. All voted in favor of the motion.

Minutes of the July 6, 2004 meeting were read. It was moved by Comm. Yardley, seconded by Comm. Dalton and unanimously passed to approve the minutes.

Sheriff Ken Yardley and Lt. Keith Draper met with the Board to discuss the operation of the jail. The State Department of Corrections had requested that the County continue with an expansion of the jail that was in the early planning stages in 2001. Sheriff Yardley reported that he did not feel the project would proceed until the new governor was elected. Some of the challenges discussed were staffing, wages, inmate programs, etc.

Steve Atkin, Beaver City Manager, and Craig Davis, County Zoning Administrator, met with the Board to present annexation plans for Beaver City. The plat maps show an annexation east of the city and north of the city. There was concern about the status of the east end of center street and who would be responsible for the maintenance of the road. It was moved by Comm. Yardley, seconded by Comm. Dalton and unanimously approved to adopt Resolution No. 2004-12 - A Resolution approving Annexation of an Island or Peninsula by Beaver City into Unincorporated Area of Beaver County.

Mr. Atkin discussed the enforcement of and collection of the television fee. The County has not been collecting the fee because of difficulties with tracking accounts, reception problems, etc. Mr. Harris will research the issue.

The Board discussed an amendment to Ordinance #93-03 - An Ordinance Authorizing and Directing the Planning, Establishment, Maintenance and Operation of a Comprehensive Solid Waste Management System, etc. The amendment would allow the District Board to award exclusive franchises when appropriate. It was moved by Comm. Yardley, seconded by Comm. Dalton and unanimously approved to adopt the amendment.

Marreen Casper, from Senator Orrin Hatch's staff, met with the Board to give an update of the activities of the senator. She stated that the Minersville Park legislation is proceeding through the congress and Senator Hatch is anticipating that it will be passed through unanimous consent in September.

A public hearing was opened for comment at 1:30 p.m. on the adoption of Ordinance No. 2004-10 - An Ordinance prohibiting Through-Truck Traffic on Designated County Roads. Those attending the hearing were Carol Thatcher, Morris Thatcher, Chad Hollingshead, Duke Hollingshead, Brandy L. Carter, Sharon Kelton and Angela Barnes. All in attendance were in favor of the ordinance. The main concern was the loop road from the Fairgrounds into Minersville. The hearing was closed for comment at 1:45 p.m. It was moved by Comm. Yardley and seconded by Comm. Dalton to adopt Ordinance #2004-10. All voted in favor of the motion.

It was moved by Comm. Yardley, seconded by Comm. Dalton and unanimously approved to adopt Resolution No. 2004-10 - A Resolution Prohibiting Through Truck Traffic along the Minersville Fairgrounds Road.

Bids on the Nowers Lane Bridge were opened. The following bids were received: Riley Construction - \$47,870; Bulldog Construction - \$51,084. The funding of the project was discussed. Mark Yardley has agreed to pay up to \$25,000 on the project. Mr. Harris will attend Beaver City

Council meeting to request assistance. It was moved by Comm. Yardley, seconded by Comm. Dalton and unanimously approved to award the project to Riley Construction but not issue the "Notice to Proceed" until funding is in place.

A public hearing was opened for comment at 2:00 p.m. on a proposed amendment of the zoning map. Those attending the hearing were Craig Davis and Carol McCulley. The request was to adopt Ordinance No. 2004-09 that would add a 2.5 acre designation to the residential estates district. The Planning Commission recommended the change. The hearing was closed at 2:15 p.m. The matter was taken under advisement.

Mr. Harris explained a request from William Terry to trade a small parcel of property on the upper North Creek road for a road right-of-way through the Terry property. Mr. Terry has already signed a quit-claim deed on the road right-of-way. It was moved by Comm. Yardley, seconded by Comm. Dalton and unanimously approved to authorize the Chairman to sign the quit-claim deed on the ground.

Rachel Sawyer, Rebecca Sawyer and Kjersten Adams reported on activities while attending the National History Fair in Washington, D.C.

It was moved by Comm. Yardley, seconded by Comm. Dalton and unanimously approved to adopt Resolution No. 2004-11 - A Resolution Providing for the County Wide Funding of the 911 System. The resolution would increase the tax from \$0.53 to \$0.65.

Nancy George met with the Board to request abatement on the payment of the restaurant tax at the Renegade Lounge. Mrs. George stated that she was unaware that the Lounge was liable for the tax and was unable to collect the tax for the past three years. The matter was tabled until the September 7, 2004 meeting to allow Mr. Christiansen time to research the issue on abatement or forgiveness of the tax.

James Robinson and Rylee Robinson met with the Board to discuss problems they are experiencing in delivering the road chips that they contracted to do. Doug Erickson was also present. James stated that he will be able to deliver the chips by August 20, 2004. The Board stated that the Thermo road has to be chip/sealed this month. James also discussed that they would be interested in a five year contract to provide road chips. The Robinsons will deliver the chips as soon as possible. The new contract will be bid later in the year.

Bills on file were approved for payment.

There being no further business, the meeting was adjourned.

APPROVED _____
Chairman

Clerk/Auditor

Beaver County
Beaver, UT 84713
August 16, 2004

The Board of County Commissioners met on August 16, 2004 at 10:00 a.m. for its regularly scheduled work meeting. Those present were William L. Dalton, Chairman; Patrick R. Yardley, Member; Von J. Christiansen, Attorney; Bryan L. Harris, Commission Assistant; and Paul B. Barton, Clerk/Auditor. Comm. Mark S. Whitney was excused.

Max Limb and Trent Brown met with the Board to discuss a property tax issue related to value on farming land that is not under cultivation. Mr. Limb stated that the taxable value on the land is based on the classification of the land under the Farmland Assessment Act. The discussion

centered on the status of the ground owned by shareholders of the Rocky Ford Irrigation Co. Rocky Ford hasn't had water for several years because of the drought. The matter was continued to the Board of Equalization hearings on September 7 & 8, 2004.

The payment on the Elk Meadows Special Improvement District for 2004 was discussed. The District has been unable to collect the portion of the payment assessed to Elk Meadows Associates. The assessment bonds were issued by Beaver County for the benefit of the District. It was moved by Comm. Yardley to loan the District \$100,000.00. The chair was passed to Comm. Yardley and Comm. Dalton seconded the motion. The chair was passed back to Comm. Dalton. All voted in favor of the motion. Mr. Christiansen stated that the County Attorney's office is working on the foreclosure of the property but action has been stayed by the bankruptcy court and a possible pending sale. The County will pursue foreclosure as quickly as possible.

The Nowers Bridge Project was discussed. Beaver City has committed to contribute \$17,500 to be paid on July 1, 2005. It was moved by Comm. Yardley to authorize the project to proceed. The chair was passed to Comm. Yardley and Comm. Dalton seconded the motion. The chair was passed back to Comm. Dalton. All voted in favor of the motion.

Kenton Call, Dale Deiter, Frank Fay, Mary Erickson, and Dayle Flanigan, from the U.S. Forest Service met with the Board to discuss the forest plan for the Fishlake National Forest. This process is in the beginning stage. Also present for the discussion was Rob Adams, County Economic Development Director. One of the main concerns was limited access on the forest caused by wilderness designation, road-less areas and non-motorized designation. The Forest Service was encouraged to hold public meetings in the Beaver area to solicit public comment.

There being no further business, the meeting was adjourned.

APPROVED _____
Chairman

Clerk/Auditor
